

19890926

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 26, 1989
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:59 a.m. The meeting was recessed by Mayor O'Connor at 11:15 a.m. to meet in Closed Session in the twelfth floor conference room to discuss the possible acquisition of Birtcher property adjacent to Del Mar fairgrounds and to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:06 p.m. with no quorum present. A quorum was present at 2:10 p.m. with Council Members Wolfsheimer, Pratt, Henderson, and Filner not present. Mayor O'Connor adjourned the meeting at 4:16 p.m. to convene the Housing Authority meeting.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-excused by R-274631
(Out-of-town business with MTDB)
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (eb,mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present

- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-52: (O-90-33 Rev.1) ADOPTED AS ORDINANCE O-17349 (New Series)

Amending the San Diego Municipal Code by adding a new Article 1, Division 1 to Chapter VII, relating to Transportation Demand Management. This Division implements the first program component of the City's Comprehensive Program for Transportation Demand Management. This first component specifies employer, building owner, and developer requirements for vehicle trip reductions and contributions to support Federal and State-mandated clean air standards through Transportation Demand Management. This Program component will reduce traffic congestion and improve air quality by reducing the number of employees who drive alone in motor vehicles to work sites during peak periods.
(Introduced as amended on 9/11/89. Council voted 6-2. Districts 6 and 8 voted nay. District 4 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A079-083.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-100: (R-90-186) ADOPTED AS RESOLUTION R-274459

Awarding a contract to Hawthorne Lift Systems for the purchase of 11 parking control scooters (Cushman Model 464) for a total cost of \$107,257.81, including tax and terms, less trade-in allowance as follows: 3 each 1984 Cushman 3-wheel scooters, unit allowance - \$550, extension \$1650.
(BID-C0919/90)

Aud. Cert. 9000292.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A094-098.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-90-49 Rev.1) CONTINUED TO OCTOBER 2, 1989

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "an Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326-1, as amended and adopted therein, by amending the budget for the Engineering and Development Department (540), by creating a new Transportation Management Division and adding to the personnel authorization of the Engineering and Development Department (540), Transportation Management Division, 10.50 new positions as follows: 1.00 Deputy Director, 0.50 Principal Planner, 1.00 Senior Traffic Engineer, 1.00 Senior Planner, 1.00 Associate Transportation Planner, 1.00 Associate Traffic Engineer, 1.00 Assistant Transportation Planner, 1.00 Associate Administrative Analyst, 1.00 Associate Planner, 1.00 Senior Public Information Officer, 1.00 Graphic Designer, 1.00 Word Processing Operator, 2.00 Clerical Assistant II, all for the purpose of implementing the City of San Diego's Transportation Demand Program; authorizing the Auditor and Comptroller to transfer within the General Fund the sum of \$626,000 from Non-Departmental

Expenditures (601) to Engineering and Development Department (540) for the purpose of funding said program and personnel; exempting one Deputy Director position from the Classified Service.

NOTE: See Item 202B on the docket of Monday, September 11, 1989 for the first public hearing. Today's action is the introduction and adoption of the ordinance.

Aud. Cert. 9000277.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A083-089.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 2, 1989, FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Sep-26-1989

ITEM-310: WELCOMED

Recognizing a group of international visitors representing the American Institute, a language and cultural organization based in Stockholm, Sweden.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A174-212.)

MAYOR O'CONNOR WELCOMED THE GROUP.

ITEM-330: RETURNED TO THE PLANNING DEPARTMENT

(Returned to the Planning Department from the meeting of June 27, 1989, Item 336; Continued from the meetings of June 15, 1989, Item 335; May 23, 1989, Item 335; and May 9, 1989, Item 330.)

The following project (Crosstown/B Club Suites) is subject to City Council review according to the provisions of the Centre City Emergency Ordinance and Overlay Zones.

The project is a proposed 15 story apartment tower containing 153 units with five levels of parking (one below grade) and 5,285 square feet of retail located on the west side of Eleventh Avenue between B and C Streets. The project requires a variance from the permitted FAR (Floor Area Ratio) of 10.0 to 10.37. The subject property is more particularly described as Lots J, K and L, Block 23, Horton's Addition, in the Centre City Overlay Zone.
(Case-89-0156. District-8.)

Subitem-A: (R-89-1943)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0156 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-1942)

Adoption of a Resolution approving the project.

PLANNING DEPARTMENT SUPPORTING INFORMATION: The proposed

project is a 15 story apartment tower, containing 153 units (88 studios and 64 one bedroom) with five levels of parking, one below grade and 5,285 square feet of commercial at street level. The project is in the core area of Centre City, and according to the Emergency Ordinance has an FAR of 10.0 and height governed by the Airport Approach Overlay Zone. The project has an FAR of 10.37 and is 158 feet in height.

The project has been reviewed according to the Centre City Overlay Zone.

Vehicular Access - Maximum linear feet of curb cut is indicated at 42 feet where 30 is permitted. A maximum curb cut for one-way traffic is 12 feet.

Parking - Parking facilities with three or more levels of above-grade parking shall be contained within the structure and architecturally enclosed. The openings for garage ventilation are recessed and covered with grill work.

Street Level Development - Both the B and Eleventh Street frontages surpass the 40 percent requirement for ground floor activity. Fifty-nine percent of B Street is devoted to commercial use and see-through glass windows while close to 75

percent of Eleventh Street is in commercial space use or lobby area for the residential tower.

FAR - The amount of FAR (.37) that exceeds the permitted 10.0 is approximately 5,500 square feet. In terms of the desired overall goal of developing residential in Centre City, this square footage appears to be very minimal. The proposed improvement will fulfill an individual and or community need and will not adversely affect the conditions that have been applied, will not be detrimental to the health, safety and general welfare of persons residing or working in the area; and will meet the purpose and intent of this ordinance.

Signage - A comprehensive sign plan will be required.

Rooftops - All mechanical equipment shall be screened.

Public Right-of-Way - The project cost will exceed \$250,000; therefore, certain ROW improvements are required, including decorative lights, street trees and upgraded sidewalks.

The Planning Department recommends approval subject to installment of public right-of-way improvements, submittal of sign plan and review by the City Engineer.

FILE LOCATION: PERM-Centre City Planned District Permits
(Case-89-0156)

COUNCIL ACTION: (Tape location: A047-053.)

MOTION BY FILNER TO RETURN TO THE PLANNING DEPARTMENT AT THE REQUEST OF THE PLANNING DEPARTMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO OCTOBER 3, 1989, 10:00 A.M.

Appeal of Mission Valley West, by Edward B. Romanow, from the decision of the Planning Commission in granting Planned Commercial Development Permit PCD-88-0948 (Mission Valley Marriott), proposing to develop a hotel complex with 296 rooms, located south of Hotel Circle South, east of I-8/Taylor Street interchange and west of the I-8/Hotel Circle South interchange. The subject property (approximately 11.66 acres) is further described as Lot 2 and a portion of Lot 3, Evelyn Terrace

Map-5500, in Zone CR, in the Mission Valley Community Plan area.

(PCD-88-0948. District-5.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0948 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM-PCD-88-0948

COUNCIL ACTION: (Tape location: A032-045.)

MOTION BY McCOLL TO CONTINUE TO OCTOBER 3, 1989, 10:00 A.M. AT THE REQUEST OF THE DEVELOPER AND THE APPLICANT TO RESOLVE THE MATTER. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,

Mayor O'Connor-yea.

ITEM-332: (R-90-) CONTINUED TO OCTOBER 17, 1989, 10:00
A.M.

Appeal of Margaret Palmer Gordon-Espe, from the decision of the Planning Director in granting Early Release Single-Family Neighborhood Protection Ordinance Case-89-3043, which requests an early release from this restriction to determine if the property located at 1304 24th Street is located within a single-family neighborhood. The subject property is further described as Lot 1, Vista de Oro, Map-11934, in Zone Multi-Family Subarea 1, in the Golden Hill Community Plan area. (ER-89-3043. District-8.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPR Case-ER-89-3043

COUNCIL ACTION: (Tape location: A053-059.)

MOTION BY FILNER TO CONTINUE TO OCTOBER 17, 1989, 10:00 A.M. FOR THE GOLDEN HILL PLANNING COMMITTEE TO REVIEW THE MATTER AGAIN.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-90-927) ADOPTED AS RESOLUTION R-274463
DENYING APPEAL, GRANTING EARLY RELEASE

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Appeals of E. Catton, et al, from the decision of the Planning Director in granting Early Release Single-Family Neighborhood Protection Ordinance Case-89-3045, which requests an early release from this restriction to determine if the property at 4063-75 Louisiana Street is located within a single-family neighborhood. The subject property is further described as the south half of Lot 5 and all of Lot 6 of Block 172 of University Heights, in Zone MR-1250B (Multi-Family), in the Mid-City Community Plan area.

(ER-89-3045. District-3.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPO Case-89-3045

COUNCIL ACTION: (Tape location: B059-319.)

Hearing began at 2:13 p.m. and halted at 2:34 p.m.

Testimony in favor by Tina McGinnis and Leroy Kindle.

Testimony in opposition by Gary Taylor, Nancy Hooper, Cindy Karpeles, and Nancy Siebold.

MOTION BY McCOLL TO DENY THE APPEAL AND GRANT THE RELEASE.

Second by McCarty. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: CONTINUED TO NOVEMBER 21, 1989, 2:00 P.M.

Request of Carroll Canyon Golf and Recreation Center for Conditional Use/Hillside Review/Resource Protection Overlay Zone Permit 87-1104 to develop a 17-acre site with a 275-yard driving range, and a 7,000-square-foot clubhouse with a restaurant, golf shop, exercise room and fitness trail. The applicant is requesting a variance to allow the substantial alteration of Carroll Canyon Creek. The subject property is located on the south side of Carroll Canyon Road immediately to the south of the terminus of Pacific Heights Boulevard and is described as a Portion of Sections 3 and 4, Range 3 West, Township 15 South, in Zone A1-10 within the Mira Mesa Community Plan area.

(CUP/HRP/RPOZ-87-1104. District-5.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-1104 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-90-)

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP/HRP/RPOZ-87-1104

COUNCIL ACTION: (Tape location: B030-056.)

MOTION BY STRUIKSMA TO CONTINUE FOR SIXTY DAYS AT THE REQUEST OF JAMES MILCH AND ALSO TO ALLOW THE PLANNING GROUP TIME TO REVIEW THE FINAL PLANS. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335:

Matters of:

- 1) Rescission of the currently adopted 1975 Clairemont Mesa Community Plan and adoption of an update to the Clairemont Mesa Community Plan which will replace the 1975 plan.
- 2) An amendment to the University Plan (December 1986) to adjust the boundary between the Clairemont Mesa Community and University Community to include San Clemente Canyon, otherwise known as Marian Bear Memorial Park, located south of State Route 52, within the Clairemont Mesa Planning Area.
- 3) An amendment to the Linda Vista Community Plan to adjust the southern boundary between the Linda Vista and Clairemont Mesa communities.
- 4) An amendment to the Progress Guide and General Plan to reflect changes proposed by the Clairemont Mesa Community Plan update.
- 5) Initiation and recommendation of approval of rezonings of various properties within the Clairemont Mesa Community Planning Area including initiation and application of the Community Plan Implementation Overlay Zone (CPIOZ) and the Institutional Overlay Zone (IOZ).
- 6) Amendment to the Tecolote Canyon Rim Development Guidelines to apply them to future development within the Hillside Review Overlay Zone along

the rims of San Clemente Canyon and all other designated open space areas in Clairemont Mesa.

- 7) An amendment to the Hillside Review Overlay Zone reflecting application of the Tecolote Canyon Rim Development guidelines to the rims of San Clemente Canyon and all other designated open space areas in Clairemont Mesa.

The Clairemont Mesa Planning Area is bounded on the north by State Route 52, on the east by I-805 and Linda Vista Road, on the west by I-5 and on the south by the southern and southwestern rim of Tecolote Canyon adjacent to the Linda Vista Community.

(Districts-5 and 6.)

Subitem-A: (R-90-364) ADOPTED AS RESOLUTION R-274464

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0224 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-90-45) INTRODUCED, TO BE ADOPTED
OCTOBER 10, 1989

Introduction of an Ordinance amending Section 101.0454 relating to the HR Overlay Zone.

Subitem-C: (O-90-46) INTRODUCED, TO BE ADOPTED
OCTOBER 10, 1989

Introduction of an Ordinance for CPIOZ, IOZ, HR and various other Zones associated with the community plan update.

Subitem-D: (R-90-365) ADOPTED AS RESOLUTION R-274465
AMENDING THE PLAN

Adoption of a Resolution to update the Clairemont Mesa Community Plan, amend the Linda Vista and University Community Plans to adjust the boundaries, and minor amendments to the Tecolote Canyon Rim Development Guidelines.

FILE LOCATION: Subitem-A,D: LAND - Clairemont Mesa
Community Plan; Subitem-B,C: - -

COUNCIL ACTION: (Tape location: B321-D654.)

Hearing began at 2:34 p.m. and halted at 4:16 p.m.

Testimony in favor by Jack Nordstrom, Keith Rhodes, Joe Marciano, Tim Graves, James Krasovic, Mr. Kramen, Dave Wilhite, Ed Hatch, and Barbara Bamberger.

Testimony in opposition by Matt Peterson, Ron Bamberger, Ian Kay, Eloise Battle, Larry Doherty, and Joan Dowd.

Mayor O'Connor closed the hearing.

MOTION BY HENDERSON TO ADOPT STAFF RECOMMENDATIONS WITH THE FOLLOWING CHANGES: (1) OPEN SPACE CANYONS: REZONE CITY-OWNED PORTIONS OF STEVENSON CANYON AND PADRE CANYON TO OSP RATHER THAN

TO R1-40,000 (P.93, ADD UNDER "1. REZONINGS"); (2) COMMUNITY CORE: ADOPT ALTERNATE LANGUAGE FOR THE GENESEE AND BALBOA AREA AS FOLLOWS - "USE. COMMERCIAL USES ONLY SHOULD BE PERMITTED IN THE COMMUNITY CORE. RESIDENTIAL LAND USES SHOULD NOT BE PERMITTED IN ORDER TO PRESERVE THE CORE AS THE COMMERCIAL CENTER OF THE COMMUNITY." (P.46, REPLACES 1.); (3) COMMUNITY-SERVING HOSPITAL: ADD THE FOLLOWING LANGUAGE - "4. HOSPITAL USES. ANY EXPANSION OF OR REVISION TO THE USE OF THE EXISTING CLAIREMONT GENERAL HOSPITAL WILL REQUIRE AN AMENDMENT TO THE EXISTING CUP. ANY HOSPITAL FACILITY DEVELOPED IN THE COMMUNITY CORE OR ANY RE-USE OF THE EXISTING HOSPITAL FACILITY SHOULD BE A COMMUNITY-SERVING FACILITY."; AND (AS AMENDED BY STRUIKSMA AND ACCEPTED BY FILNER) (4) MOBILE HOME PARKS: ADD THE LANGUAGE, "SINGLE FAMILY PROTECTION OVERLAY ZONE." (P.37, PARA. 1A & 2A). ALSO, CONTINUE THE FOLLOWING ISSUES TO NOVEMBER 21, 1989: OVERLOOK HEIGHTS, APACHE STREET REZONING, PRICE CLUB ZONING REQUIREMENTS/LANDSCAPING, AND DIANE VILLAGE SHOPPING CENTER REZONING. Second by Filner. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: CONTINUED TO OCTOBER 2, 1989

(Continued from the meeting of September 18, 1989, Item 152, at Council Member Henderson's request, for further review of the issues stated in Council Member Wolfsheimer's memo.)

Three actions relative to Council Policy 900-3 (Managing and Marketing City-Owned Industrial Property) and Issues relating to Eastgate Technology Park:

(District-1. See Memorandum from Council Member Wolfsheimer dated 9/11/89; City Manager Report CMR-89-428.)

Subitem-A: (R-89-1367)

Amending Council Policy 900-3 regarding Management and Marketing of City-Owned Industrial Property.

Subitem-B: (R-89-2598)

Authorizing the City Manager to resubdivide Eastgate Technology Park into one to four net acres.

Subitem-C: (R-89-2573)

Authorizing the City Manager to develop a "Lease Only" marketing program for Eastgate Technology Park.

COMMITTEE ACTION: Reviewed by PFR on 8/9/89. Recommendation to approve the City Manager's recommendations to 1) revise Council Policy 900-3, 2) commence activities for the City to resubdivide Eastgate Technology Park into lots of one to four acres on a phased basis, as appropriate, and 3) direct staff to develop a marketing plan for leasing parcels in Eastgate. Districts 5, 6, 7 and 8 voted yea. District 1 voted nay.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A065-075.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 2, 1989, FOR FURTHER REVIEW. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-90-520) ADOPTED AS RESOLUTION R-274460

Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of Perez V. City of San Diego, Federal District Court Case No. 88-0103R(M), pursuant to the terms of the settlement agreement; authorizing the City Auditor and Comptroller to issue one check in the amount of \$20,000 made payable to Aguirre and Meyer, Client Trust, Chicano Federation Litigation Account, in full settlement of the lawsuit and of all claims.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A099-105.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S500: (R-90-501) ADOPTED AS RESOLUTION R-274461

Authorizing the execution of Amendment No. 2 to the Program Management Agreement of March 22, 1988 with James M.

Montgomery, Consulting Engineers, Inc. to add professional consulting services related to consent decree negotiations to the consultant's scope of work; authorizing the expenditure of an amount not to exceed \$285,490 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, within Sewer Revenue Fund No. 41506, for the purpose of providing funds for the above services; authorizing the expenditure of an amount not to exceed \$400,000 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, within Sewer Revenue Fund No. 41506, for the purpose of providing additional funding for special legal counsel by Pepper, Hamilton and Scheetz to assist in consent decree negotiations and litigation in Case-88-1101-B (IEG), United States District Court for the Southern District of California.
(See City Manager Report CMR-89-446.)

COMMITTEE ACTION: Reviewed by PSS on 9/20/89.
Recommendation to refer the matter to the City Council with no recommendation until reviewed at Closed Session. Districts 2, 3, 4 and 7 voted yea. District 6 not present.
Aud. Cert. 9000303.
WU-SP-90-035.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A105-170.)
MOTION BY McCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-CS-1: (R-90-546) ADOPTED AS R-274458

A Resolution adopted by the City Council in Closed Session on September 26, 1989:

Authorizing and empowering the City Manager to pay the sum of \$72,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case 605487, Mary Lay v. City of San Diego, et al. resulting from personal injury to Mary Lay; authorizing the City Auditor and Comptroller to issue one check in the amount of \$72,000.00 made payable to Mary Lay and her attorney Robert Trentacosta, in full settlement of

all claims.

Aud. Cert 9000341

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:16 p.m. in honor of the memory of Roy M. Cleator.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D658).